



Virginia
Regulatory
Town Hall

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Exempt Action Final Regulation Agency Background Document

Agency name	Department of Forensic Science
Virginia Administrative Code (VAC) citation	<u>6 VAC 20 -220</u>
Regulation title	Regulations for the Approval of Field Tests for Detection of Drugs
Action title	The amendments to the regulations reflect the agency's new status as a Department by changing (1) the citation for these regulations from 6 VAC 20-220-10 et seq. to 6 VAC 40-30-10 et seq. to reflect the new agency number assigned to the Department of Forensic Science by the Virginia Registrar of Regulations and (2) any reference in the regulations to the agency from the "Division" of Forensic Science to the "Department" of Forensic Science.
Final agency action date	February 22, 2006
Document preparation date	January 3, 2006

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Virginia Code § 19.2-188.1 permits any law enforcement officer to testify, at preliminary hearing, to the results of field tests regarding whether or not any substance is a controlled substance provided the field test is approved by the Department of Forensic Science. These regulations outline the process the Department follows for the approval of field tests for detection of drugs.

In accordance with changes to the Code of Virginia, effective July 1, 2005, the Division of Forensic Science, which had formerly existed as a Division within the Department of Criminal Justice Services, became the Department of Forensic Science. The amendments to the regulations reflect the agency's new status as a Department in two ways. First, the amendments change the citation for these regulations from 6 VAC 20-220-10 et seq. to 6 VAC 40-30-10 et seq. to reflect the new agency number

assigned to the Department of Forensic Science by the Virginia Registrar of Regulations. Second, the amendments change any reference in the regulations to the agency from the "Division" of Forensic Science to the "Department" of Forensic Science.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On November 30, 2005, the Forensic Science Board adopted amendments to the "Regulations for the Approval of Field Tests for Detection of Drugs."